

eNON-DISABILITY SUMMARY SHEET

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Unit : EZTOOL

Query Date: 03/15/2011

Hearing Office: T18

SSN Queried:

GENERAL CASE INFORMATION ON THE INDIVIDUAL QUERIED

ent Data

Numi Date Of Birth:

Age:

Numi Date of Death:

Title II (MBR) case data

Claim Number - BIC:

Current Claim Type : L/S DEATH PAYMT

Pay Status (LAF): T1 -Terminated because of death of the beneficiary

Pay Continuation (PRY): No

Reason For Suspension or Termination (RFST):

CLMDTH - Death Termination

Date of Death (BDOD):

Title XVI case data from the current SSR

Type of Record (TMR): DI-Disabled Individual

Pay Status (PSY): T51 - Systems generated termination (no previous payment made)

Grant Reimbursement Code (GRC): No

Non-DIB Benefit Continuation (PMTH):

Date of Death (DH):

Policy Reminders

See GN 00303.300N for Using a Prior SSA Record to Establish U.S. Citizenship

See SI 00502.100 for Basic SSI Alien Eligibility Requirements

ADDRESS AND TELEPHONE NUMBERS

MBR	SSR	MDW
<p>Phone #:</p> <p>Date:</p> <p>Address Change Date:</p>	<p>Phone # :</p> <p>Payee Phone #:</p> <p>Address Change Date:</p>	<p>Phone 1:</p> <p>Phone 2:</p> <p>Date of Last Request: / /</p>

MBR SPECIAL MESSAGES AND CURRENT SSR REMARKS

APPOINTED/AUTHORIZED REPRESENTATIVE

Auth Rep Title XVI (from the current SSR):

Auth Rep T16: No AuthRep shown on Current Record

Telephone:

Address:

TITLE II DENIAL AND TITLE XVI APPEALS INFORMATION FROM THE MBR AND CURRENT SSR

Title II Previous Denials

SSN:---	<u>BIC</u>	<u>Date of Filing</u>	<u>Application Receipt</u>	<u>Level of Denial</u>	<u>Reason for Disallowance or Denial</u>
Name					Not the spouse/widower, under State law or deemed marriage provision

Title XVI Appeals from the current SSR:

<u>Appeal Filing Date</u>	<u>Appeal Type</u>	<u>Appeal Level</u>	<u>Appeal Reason</u>	<u>Decision Date</u>	<u>Appeal Decision</u>
	Initial Claims	Reconsideration	Initial Disability	10/17/1980	Unfavorable

OVERPAYMENT INFORMATION FROM THE MBR AND THE CURRENT SSR

Closed Title II Overpayment (OP) Events with a balance of \$0 and Appeal/Waiver Transactions

SSN: ---

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Beneficiary Name:

BIC: A Primary claimant

Event Identifier (EI): 01 Reason for OP (TOE): PRIS SUS NON-MENT

Status: Overpayment balance is zero--recovered by benefit adjustment

Initial OP Event Amount: \$2,535.00 Trust Fund (TF): Retirement Survivor Insurance

Run Date	Trans	Trans Amount	Amount W/H	Waiver/ReconIndicator (WRI)
08/07/2003	Protest received to recovery of LDO	\$2,535.00		N--INFORMAL WAIVER

Event Identifier (EI): 02 Reason for OP (TOE): PRIS SUS NON-MENT

Status: Overpayment balance is zero--recovered by benefit adjustment

Initial OP Event Amount: \$1,920.00 Trust Fund (TF): Retirement Survivor Insurance

Run Date	Trans	Trans Amount	Amount W/H	Waiver/ReconIndicator (WRI)
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CUSTOMER SERVICE RECORD (CSR) INFORMATION

Name:

SSN:

Prisoner Update Processing System (PUPS): Record Exists.

FOLDER LOCATIONS

From the OQP Toolbar select the T2Fld or T16Fld button to query or request folders

PAYMENT CALCULATIONS**RECENT WORK**[Work History Assistance Tool](#)**HEARING CASE INFORMATION**

Date Hearing Filed: 02/15/2011

Hearing Office: T18

Hearing Request Reason: "I DISAGREE WITH YOUR DECISION DATED 2/4/11 BECAUSE I NEVER GOT DIVORCE PAPERS AND HE KNEW WHERE I LIVED SHOULD NOT BEEN DIVORCED FROM HIM."

Hearing Issues: Did the marriage between Con ins last 10 years or longer?

Was there a divorce filed?

Pertinent Case Facts: The claimant, filed for survivor spouse's benefits on 05/18/10 under Larry record. On the application, the claimant stated that they were married on 02/18/84 in Las Vegas, NV and the marriage ended by death on 02/23/08 in California. She also stated "LARRY AND I WERE MARRIED IN LAS VEGAS NEVADA. HE HAD OTHER MARRIAGES BUT I DO NOT KNOW ANY OF THAT INFORMATION. I FILED FOR DIVORCE BUT THE DIVORCE WAS NEVER FINALIZED. I NEVER PURSUED IT." The FO retained a certified copy of the marriage certificate and confirmed the date of marriage.

On Larry's retirement application filed on 03/29/02 he listed four prior marriages and all of the marriages ended by divorce. He was married to from 07/01/57-01/01/69, to from 07/01/69-07/01/74, to from 07/01/79-07/01/83 and to Connie from 07/01/84 -07/01/87.

On 09/28/06, filed and was awarded spouse's benefits under record. The application shows they were married on 09/05/04 and the FO confirmed the marriage with by telephone.

On 10/06/2010, the FO requested assistance from another FO (form E562 in file) to search for



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the divorce decree in the State of Nevada. The office searched and they found no record.

On 11/03/2010, the FO requested another search for the divorce record from another FO (form E562 in file) after interviewing . However, the FO did not complete the search because the office did not have access to the records from Los Angeles County.

On 11/08/10, Notice of Disapproved Claim was issued indicating ; stated on his application that they were married from 07/01/84-07/01/87 and the claimant would have to prove that she was never divorced to and that their marriage lasted 10 years or longer.

On 11/10/10, claimant filed a SSA-561 "Request for Reconsideration" stating "I WAS MARRIED IN FEB 84 AND WAS NEVER DIVORCED. HE STATED WE WERE MARRIED IN JULY. I HAVE A MARRIAGE CERT THAT SHOWS FEB AND I HAVE ALWAYS SAID I WAS MARRIED TO HIM."

To the contrary, the claimant had made statements on two disability applications filed in 1994 and 2002 stating that she was divorced to . On the most recent retirement application filed 01/22/09, she reported "I WAS PREVIOUSLY MARRIED TO ON January 1, 1985 IN NV BY A CLERGYMAN OR PUBLIC OFFICIAL. THE MARRIAGE ENDED BY DIVORCE ON January 1, 2000 IN CA. MY FORMER SPOUSE'S AGE OR DATE OF BIRTH IS 066."

On 02/04/11, the PSC sent a "Notice of Reconsideration" to the claimant informing her that the initial decision was correct because she did not submit sufficient evidence to prove that she is the widow of .

The notice also cited a paragraph from GN 305.050.A.1, "When two claimants assert they are the legal surviving spouse, ascertain whether a divorce terminated the first marriage. The law of the worker's domicile at the time of death is pertinent to determining this. Both claimants must submit information, which will enable SSA to assist them in obtaining evidence concerning dissolution of the former marriage."

The claimant filed a "Request for Hearing by Administrative Law Judge" on 02/15/11

POLICY INFORMATION

Policy Description

GN 00305.050 More Than One Person Claiming to be Worker's Surviving Spouse

GN 00301.001 General Evidentiary Standards--Introduction

SOURCES OF INFORMATION

ATTACHMENTS

Attachment Description:

E562s

Retirement Application--MCS Marriage Screen

ELECTRONIC DOCUMENTATION

[CPMS](#)

[Notices](#)

[HALLEX](#)

[eView](#)

[S](#)

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